

RAYMOND C. CABALLERO  
MAYOR



**CITY COUNCIL**

JAN SUMRALL  
DISTRICT NO. 1

ROSE RODRIGUEZ  
DISTRICT NO. 2

LARRY M. MEDINA  
DISTRICT NO. 3

JOHN COOK  
DISTRICT NO. 4

DANIEL S. POWER  
DISTRICT NO. 5

PAUL J. ESCOBAR  
DISTRICT NO. 6

LUIS G. SARIÑANA  
DISTRICT NO. 7

ANTHONY COBOS  
DISTRICT NO. 8

REGULAR COUNCIL MEETING  
COUNCIL CHAMBERS  
MAY 21, 2002  
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Paul Joseph Escobar, Luis G. Sariñana and Anthony Cobos. Absent: None. Meeting was called to order and the invocation was given by Pastor Sam Olumoko, Christ Miracle Mission Church, followed by the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Presentations:

1. Foster Care Month – May
2. National Salvation Army Week - May 13-19
3. Mariachi Craze International Mariachi Conference Week - May 22-26

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\*Motion made, seconded and unanimously carried to postpone two (2) weeks the Resolution that the Mayor be authorized to sign the Airport Display Agreement with the Government of the State of Chihuahua-Secretaryship of Commercial and Tourism Development, providing for the display of a large back lit map of the State of Chihuahua featuring points of interest and tourism attractions within the area at the El Paso International Airport.

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**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor, on behalf of the City, accept the donation by the El Paso Electric Company of \$1,000.00 to be deposited in the discretionary funds for City Council District Number Five and to be utilized by the City for lighting around the Eastside Skatepark at Dick Shinaut Park located in District 5.

Representative Power thanked the El Paso Electric Company for their donation for the lighting of the park.

Motion made by Representative Power, seconded by Representative Cook and unanimously carried to approve the above Resolution.

NOTE: Resolution was revised to add "Eastside Skatepark" from what appears on Agenda.

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## RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art be authorized to accept, on behalf of the City of El Paso, the following gifts identified further in Exhibit A: (Exhibit on file with this Resolution in the City Clerk's Office).

1. One (1) acrylic on canvas by Fritz Scholder entitled *New Mexico Revisited* and one (1) oil on canvas by Fritz Scholder entitled *Sad Indian* offered by James Farah of New York City.
2. One (1) oil on canvas by Beatrice Riese entitled *Many Dogs* offered by Roger W. Mosesson of New York City through Dr. Lori Verderame of Pennsylvania.
3. One (1) lithograph by Marisol entitled *Untitled* offered by Dickstein Shapiro Morin & Oshinsky LLP of Washington D.C.
4. One (1) acrylic on canvas by Dee Wolff entitled *Selah* and one oil on canvas entitled *Selah* offered by Dee Wolff of Houston, Texas.
5. One (1) watercolor on paper by Peter Hurd entitled *Guadalupe Peak*, one (1) watercolor on paper entitled *Oil Rig*, one (1) watercolor on paper entitled *Desert Landscape*, one (1) watercolor on paper entitled *Sketch for Oil Rigs*, one (1) watercolor on paper entitled *Derrick with Pickup Truck*, one (1) watercolor on paper *Windmill Tank*, one (1) watercolor on paper entitled *A Juarez Barfly*, one (1) watercolor on paper entitled *Exotic Dancer*, one (1) watercolor on paper entitled *Sketch for Drilling Rig at Dusk*, one (1) watercolor on paper *Old Tanks*, one (1) watercolor on paper entitled *Storm on the Desert*, one (1) watercolor on paper entitled *Desert in Browns*, one (1) watercolor on paper entitled *Guadalupe Peak* offered by Leslyn Willis Kirkpatrick of Dallas, Texas.

Mayor Raymond C. Caballero thanked the artists for the generous donations and commended the Museum of Art on their growing collection of works.

Motion made by Representative Sumrall, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

Motion made by Representative Medina, seconded by Representative Sumrall, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.  
(Items approved under Consent Agenda will be shown with an asterisk {\*}).

\*Motion made, seconded and unanimously carried to approve the Minutes for Regular City Council Meeting of October 23, 2001 and February 5, 2002.

## \*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Memorandum of Agreement, between the United States of America and the City of El Paso relating to the furnishing of the services of police officers at the passenger security screening locations at the El Paso International Airport through December 1, 2003, whereby the Federal Government will reimburse the City for the personnel costs incurred during the term of the agreement.

**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art be authorized to purchase, on behalf of the City of El Paso, the following works identified further in Exhibit A: (Exhibit on file with this Resolution in the City Clerk's Office).

1. Twelve (12) airbrushed acrylic on canvas by Gaspar Enriquez entitled *Elegy on the Death of Cesar Chavez* valued at \$36,000.00 (with funds provided by the Robert U. and Mabel O. Lipscomb Foundation)
2. One (1) monotype on chine collé by Dan Rizzie entitled *Untitled* valued at \$7,650.00 (with funds provided by the Robert U. and Mabel O. Lipscomb Foundation)

**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art be authorized to accept the loans, on behalf of the City of El Paso, of the following exhibition organized by the McKinney Avenue Contemporary in Dallas, Texas, and identified further in Exhibit A: (Exhibit on file with this Resolution in the City Clerk's Office).

"Visions, Vows, and that Old Time Religion: Paintings by John Alexander from 1978-1988"  
The estimated cost to the City of El Paso will be \$5,738.00 for insurance and transportation.

**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following special events agreement for space in the El Paso Museum of Art. Licensee is requesting permission to serve alcohol in the premises.

Event:	Reception
Licensee:	U. S./Mexico Border Counties Coalition
Date:	May 31, 2002
Time:	5:30 p.m. - 9:30 p.m.
Charge for Space:	\$1,200.00
Charge for Staff (est.):	\$390.00
Charge for Insurance:	\$40.00
Area(s):	Special Events

**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Director of the Arts Resources Department be authorized to sign a grant application to the El Paso Community Foundation for artist fee support in the amount of \$2,000 for the FY2003 Music Under the Stars World Festival, and that the Mayor be authorized to sign the related contract and documents should funds be granted, either in the requested amount or at such lesser amount as may be approved by the El Paso Community Foundation. No additional match of City funds is required for this grant.

**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this sanitation lien for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
600 Pinar Del Rio	\$411.35	\$13.31	\$424.66

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**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this sanitation lien for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
12061 Robert Kirtley Drive	\$194.85	\$25.00	\$219.85

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**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this sanitation lien for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
0000 Schwabe Drive	\$112.63	\$59.97	\$172.60

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**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this sanitation lien for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
555 Schwabe Drive	\$286.95	\$218.40	\$505.35

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Appraisal Services Agreement by and between the City of El Paso and Ralph Sellers & Associates in an amount not to exceed \$1,000.00 for the appraisal of the following described City property to determine the appraised value for a proposed alley right-of-way vacation:

*A portion of dedicated alley within Block G, SUPPLEMENTARY MAP NO. 2 of MONTOYA TOWNSITE, Canutillo, El Paso County, Texas, and being more particularly described by metes and bounds.*

**\*RESOLUTION**

WHEREAS, the World Trade Center El Paso/Juarez is planning for a Border Logistics Trade Show in El Paso to be held in or near the month of October 2002; and

WHEREAS, the in the Border Logistics Trade Show will promote and benefit the El Paso business community and economic development in the City through the facilitation and enhancement of international trade; and

WHEREAS, the City Council finds that the promotion of the World Trade Center El Paso/Juarez Border Logistics Trade Show is of a benefit to the citizens of El Paso, and the cooperation of the City with the promotion of the Trade Show relates to improvements to business, economic development and the general welfare of the citizens of El Paso, resulting in a benefit to the City.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. That permission be granted to the World Trade Center El Paso/Juarez to use the script logo and other textual references to the City of El Paso on publication announcements and related materials in conjunction with the 2002 Border Logistics Trade Show;
2. That by the granting of permission, the City of El Paso is not and shall not be considered to be a co-sponsor of the Border Logistics Trade Show or any other projects or publications of the World Trade Center El Paso/Juarez; and
3. That permission to use the script logo of the City shall not include the use of the City seal and permission shall terminate upon the conclusion of the 2002 Border Logistics Trade Show or upon the giving of written notice to the World Trade Center El Paso/Juarez by the Mayor.

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Professional Services Agreement between the City of El Paso and PAT GORDON to provide professional legal services with respect to tax issues relating to the City of El Paso Pension Plan and the El Paso Firemen and Police Pension Plan.

Representative Sariñana questioned what dollar amount would be paid to Mr. Gordon.

Ms. Rita Rodriguez, City Attorney, replied Mr. Gordon was related to Ms. Laura Gordon, First Assistant City Attorney, and that Mr. Gordon was selected due to his expertise in tax matters. She stated he would be charging the City 90% of what his going rate would be at the time, or \$250.00 per hour. She explained that Mr. Gordon's services have been utilized previously in matters such as tax matters regarding the City Employees Pension Fund and Fire/Police Pension Funds.

Ms. Rodriguez apologized for not noting the dollar amount in the backup materials.

Representative Sariñana questioned what Mr. Gordon's role would be and questioned if the pension plans were in some type of "trouble".

Ms. Rodriguez stated that when the City has questions regarding the pension funds, Mr. Gordon's services are requested and he provides specific opinions for such matters.

Mr. William Chapman, Chief Financial Officer, responded that Mr. Gordon's legal opinions would be utilized for the City pension fund for advice in Section 414(h) of the Internal Revenue Code of 1986 and the Fire and Police Pension fund regarding how matters are being handled with that fund.

Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

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**\*RESOLUTION**

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AMENDMENT TO THE MEMORANDUM FOR SERVICES BETWEEN THE CITY AND THE UNIVERSITY OF TEXAS AT EL PASO FOR A MIGRATORY BIRD WETLAND HABITAT AT THE RIO BOSQUE PARK TO EXTEND THE TERM TO JUNE 30, 2002.**

WHEREAS, the City of El Paso (City) and the University of Texas at El Paso, a higher education agency of the State of Texas (UTEP) entered into a Memorandum for Services (Memorandum) September 1, 1999 for UTEP to accomplish certain work at the Rio Bosque Park in accordance with an Environmental Protection Agency grant which Memorandum expired by its terms June 30, 2002 and,

WHEREAS, UTEP has requested the City extend the expiration date of the Memorandum until June 30, 2002 in order for UTEP to complete the scope of work required; and,

WHEREAS, the City finds it in the public interest to extend the expiration date of the Memorandum,  
NOW THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:**

The Mayor is hereby authorized to sign an amendment to the Memorandum for Services between the City of El Paso and the University of Texas at El Paso for a migratory bird wetland habitat at the Rio Bosque Park extending the term of the agreement until June 30, 2002. All other provisions of the Memorandum for Services shall remain in full force and effect.  
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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an **Agreement for Architectural Services** between the **CITY OF EL PASO** and **ARTchitecture I, LP dba ARTchitecture**, for a project known as "**New Marty Robbins Recreation Center and Pool Improvements**" for an amount not to exceed **THREE HUNDRED NINE THOUSAND NINE HUNDRED FIFTY-FIVE and NO/100 DOLLARS (\$309,955.00)**.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an **Agreement for Architectural Services** between the **CITY OF EL PASO** and **ARTchitecture I, LP dba ARTchitecture**, for a project known as "**New Eastwood Park Recreation Center**" for an amount not to exceed **TWO HUNDRED FORTY-FIVE THOUSAND FOUR HUNDRED FORTY-SEVEN AND NO/100 DOLLARS (\$245,447.00)**.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an **Agreement for Engineering Services** between the **City of El Paso** and **AMEC Earth & Environmental, Inc.**, for a project known as "**Schuster Slope Stability**" for an amount not to exceed **ONE HUNDRED THIRTY NINE THOUSAND NINE HUNDRED FIFTY SIX AND NO/100 DOLLARS (\$139,956.00)**.

NOTE: Resolution was revised to read "That the Mayor be authorized to sign an Agreement for Engineering Services" instead of "a First Amendment to an Agreement".

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**THAT** the City of El Paso approves the participation by the El Paso Fire Department in the Independence Day Parade to be held by the Rotary Club of West El Paso on July 4, 2002 by providing a 1948 Mack Fire Engine as an entry in the parade.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Major be authorized to sign an **Interlocal Agreement** between **Texas Tech University Health Sciences Center Regional Academic Health Center** at El Paso and the **City of El Paso** to permit the use of a City vehicle by the **EMSS Medical Director** and **EMSS Quality Assurance Personnel** for the performance of quality assurance duties.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**THAT** the Mayor be authorized to sign the Domestic Relations Order Amendment to Plan Document; amending the Deferred Compensation Plan for Public Employees.

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\*Motion made, seconded and unanimously carried to approve the request to fill the position(s) on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

- A.** Communication Dispatcher I (1)
- B.** Laborer (1)
- C.** Personnel Analyst I (2)
- D.** Police Records Specialist II (1)

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\*Motion made, seconded and unanimously carried to approve the following provisional appointment(s) in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

- A.** Recreation Services Coordinator (1)
- B.** Planning Technician III (1)
- C.** Training & Development Manager (1)

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\*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Police

Add	6.0	Police Officer	P1
Delete	6.0	Police Officer	P1
Add	4.0	Police Detective	P3
Add	3.0	Police Officer	P3
Add	2.0	Police Detective	P3
Delete	4.0	Police Detective	P3
Delete	3.0	Police Officer	P3
Delete	2.0	Police Detective	P3
Add	1.0	Police Officer	P3
Add	1.0	Criminal Intelligence Liaison	PM75
Delete	1.0	Police Officer	P3
Delete	1.0	Criminal Intelligence Liaison	PM75
Add	1.0	Police Sergeant	P4
Add	3.0	Police Detective	P3



Add	1.0	Police Sergeant	P4
Delete	1.0	Police Sergeant	P4
Delete	3.0	Police Detective	P3
Delete	1.0	Police Sergeant	P4

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 \*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Street

Add	1.0	Engineering Tech III	GS24
Delete	1.0	Engineering Tech II	GS20

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 \*Motion made, seconded and unanimously carried to appoint Rebecca Goodman Krasne and Benjamin Alire Saenz to the El Paso Public Arts Commission by Mayor Raymond C. Caballero.  
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 \*Motion made, seconded and unanimously carried to appoint Anna Mares to the Electrical Board of Appeals by Mayor Raymond C. Caballero.  
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 \*Motion made, seconded and unanimously carried that the following installment agreements for AD VALOREM taxes be approved in the amount shown and that the Mayor be authorized to sign said agreements on behalf of the City:

- A. PID #V893-999-5460-4200, \$234.08 per month installments on a balance of \$2,808.96 for 2001 taxes; Sandra Yañez – 1305 Michelangelo.
- B. PID #H012-999-0260-6600, \$308.87 per month installments on a balance of \$5,559.66 for 1998, 1999 & 2000 taxes; Rodrigo R. & Ninfa C. Arroyo – 7540 Mazatlan.
- C. PID #S533-000-0070-1500, \$485.74 per month installments on a balance of \$17,486.64 for 1997, 1998, 1999 & 2000 taxes – Arturo Sanchez – 9967 Alameda.

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 \*Motion made, seconded and unanimously carried that the following tax refunds be approved:

- A. Washington Mutual Home Loans, Inc., in the amount of \$2,050.91; overpayment of 2001 taxes. (PID #C733-999-0060-3700)
- B. Wells Fargo Mortgage Co. Inc., in the amount of \$1,700.01; overpayment of 2001 taxes. (PID #E222-999-1590-2100)
- C. Ruth Izquierdo, in the amount of \$3,442.60; overpayment of 2001 taxes. (PID #M473-999-0350-6100)
- D. ABN AMRO Mortgage Group, in the amount of \$2,657.99; overpayment of 2001 taxes. (PID #S380-999-0040-5600)
- E. First Federal Bank, in the amount of \$16,815.51; overpayment of 2001 taxes. (PID #T822-999-0020-0500)
- F. First Federal Bank, in the amount of \$6,740.19; overpayment of 2001 taxes. (PID #Y805-999-015D-1901)
- G. Savage Oil Co., in the amount of \$1,239.63; overpayment of 2001 taxes. (PID #Y805-999-0450-3101)
- H. Stewart Title Co., in the amount of \$2,263.84; overpayment of 2001 taxes. (PID #Z021-999-0060-5600)

- I. Transamerica Real Estate Tax Service, in the amount of \$1,320.06; overpayment of 1999 taxes. (PID #654-999-1260-3100)
- J. Howard & Carrie L. White, in the amount of \$1,434.62; overpayment of 2001 taxes. (PID #M296-999-0030-6100)
- K. Carrie L.V. White, in the amount of \$1,785.87; overpayment of 2001 taxes. (PID #G686-999-0060-4300)
- L. Principal Residential, in the amount of \$1,610.70; overpayment of 2000 taxes. (PID #W145-999-0240-1800)
- M. National City Mortgage, in the amount of \$9,448.40; overpayment of 2001 taxes. (PID #C837-999-0010-2000)

\*Motion made, seconded and unanimously carried to award Bid No. 2002-115 Carolina Skate Park

Contractor: Dantex Construction Company  
 El Paso, Texas  
 Department: Parks & Recreation  
 Funds Available: 71150069-G7127CD0013-7637-508027  
 Funding Source: CD  
 Item(s): Base Bid I \$497,200.00  
 Base Bid I-A \$ 1,575.00  
 Alternate No. 1 \$ 65,700.00  
 Alternate No. 2 -(\$ 1,900.00)  
 Alternate No. 3 \$ 17,100.00  
 Total Award: \$579,675.00

The Departments of Purchasing, Engineering and Parks & Recreation recommend the award of this contract to Dantex Construction Co., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

### 1. Lump Sum Component

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

### 2. Unit Price Component

Work under the unit price component is only an estimated value or not to exceed amount and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term.

\*Motion made, seconded and unanimously carried to award Bid No. 2002-125 Street Resurfacing Program 2002

Contractor: Allied Paving Company  
 El Paso, Texas  
 Department: Streets  
 Funds Available: PPW0062-508027  
 Funding Source: Various  
 Item(s): Base Bid \$3,570,644.97  
 Total Award: \$3,570,644.97

The Departments of Streets and Purchasing recommend the award of this contract to Allied Paving Company, the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

Work under the unit price component is only an estimated value or not to exceed amount and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term.

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\*Motion made, seconded and unanimously carried to award Bid No. 2002-144 Recycling Trailers

Award to: Environmental Marketing  
La Grange, Texas

Item(s): 1  
Amount: \$24,850.00

Department: Solid Waste Management  
Funds available: 04250101-508029-PMB0001160  
Funding source: FY2000 Certificates of Obligation –  
Solid Waste Capital Equipment  
Total award: \$24,850.00

The Solid Waste Management, Equipment Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase two (2) Recycling Trailers. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within ninety (90) days from the date of award of the contract. No prompt payment discount is offered.

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\*Motion made, seconded and unanimously carried to award Bid No. 2002-146 Automated External Defibrillators

Award to: Medtronic Physio-Control Corp.  
Redmond, WA.

Item(s): #1 Qty. 11  
#2 Qty. 11  
Amount: \$26,329.60

Department: Police  
Funds available: 21150048-05335-G210223-508007  
Funding source: Llebq Equipment & Technology FY02  
Total award: \$26,329.60

The Police and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase Automated External Defibrillators. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised twenty-four (24) months from the date of award of the contract. No prompt payment discount is offered.

\*Motion made, seconded and unanimously carried to award Bid No. 2002-148 Armored Car Service – International Bridges

Award to: Loomis, Fargo & Co.  
El Paso, Texas  
Item(s): All  
Amount: \$29,820.00 (estimated annually)

Department: Street  
Funds available: 32010203-502212  
Funding source: General Fund  
Total award: \$89,460.00 (estimated)

Purchasing and the Street Departments recommend award as indicated to "Armored Car Services", this company was the lowest responsive (by definition, meeting specifications) offer, from responsible offerors.

This is a three (3) year requirements Contract.

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\*Motion made, seconded and unanimously carried to approve budget transfer BT2002-620 ZOO  
Funding is required to fulfill security needs through remainder of the fiscal year.

Increase	\$41,000	to	52152001/15445/407001	Intrafd Trf
Increase	\$41,000	to	52152001/15445/502112	Security
Increase	\$41,000	to	52153027/P50024416340/407002	Est Rev
Increase	\$41,000	to	52153027/P50024416340/507001	Intrafd Trf

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\*Motion made, seconded and unanimously carried to approve budget transfer BT2002-640 PUBLIC WORKS/OMB  
Establishing appropriation for installation of septic tank at Wilderness Park Museum.

Increase	\$40,000	to	31131001/P50148827061/407002	Est Rev
Increase	\$40,000	to	31131001/P50148827061/508027	Construction

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\*Motion made, seconded and unanimously carried to approve budget transfer BT2002-646 COMMUNITY DEVELOPMENT

This transfer will move funds from the Community Development 27<sup>th</sup> Year Contingency Account to the Community Development Carolina Skate Park, a 27<sup>th</sup> Year (2001-2002) project. This transfer is necessary to cover the low bid for the base bid, the alternates and a 6% contingency to award the project and to cover the testing proposal received for this project.

Decrease	\$175,096	from	71150069/G7127CD000107629/508027	Construction
Increase	\$168,456	to	71150069/G7127CD001307637/508027	Construction
Increase	\$ 6,640	to	71150069/G7127CD001307637/508024	Testing

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Motion made, seconded and unanimously carried to move to the Regular Agenda the parade request for the Rotary Club of West El Paso to hold a July 4<sup>th</sup> Parade on Thursday, July 4, 2002 from 8:30 a.m. to 12:00 p.m.

Representative Sumrall questioned why the cost for police service was higher this year than for last year, for the same event.

Commander Walsh, Police Department, explained that last year the request for traffic assistance was two hours; however, this year the event is scheduled for three and ½ hours. He noted that anything over three hours the applicant bears the full cost. He noted that although the parade route would be the same as last year, the number of spectators has increased for this year's event to approximately 5,000. He reminded Council that the dollar amounts are always estimates.

Mr. Norm Peters, applicant, commented that he believed some discrepancies were noted in the application and he would correct them.

Motion made by Representative Sumrall, seconded by Representative Cobos and unanimously carried to postpone one (1) week the parade request for the Rotary Club of West El Paso to hold a July 4<sup>th</sup> Parade on Thursday, July 4, 2002 from 8:30 a.m. to 12:00 p.m. Route: Begin at Western Hills Methodist Church at 530 Thunderbird, proceed on Thunderbird to Shadow Mountain, left on Shadow Mountain, proceed on Shadow Mountain to Mesa, right on Mesa and proceed southwest to Champions Place, turn right on Champions Place, ending in the Coronado High parking lot at 100 Champions. Approximately 1,500 persons, 50+ vehicles and 50+ animals will take part and 5,000 spectators are anticipated. PERMIT NO. 02-051

\*Motion made, seconded and unanimously carried to approve the request of Jose R. Sanchez to block off St. Vrain between Seventh and Eighth on June 1, 2002 from 4:00 p.m. to 9:00 p.m. and on June 2, 2002 from 9:00 a.m. to 9:00 p.m. for a matachines dance. Approximately 100 persons will take part and 50 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices." PERMIT NO. 02-055

\*Motion made, seconded and unanimously carried to approve the request of El Pasoans for Life/Crisis Pregnancy Services to hold a Run for Life foot race/walk on June 8, 2002 from 7:00 a.m. to 9:00 a.m. Route: Start at Vista Hills Church parking lot, proceed west on Solano, right on Pescador, right on Pacheco, right on Pico Norte, left on Hector, right on Bywood, left on Penwood, left on Album, right on Escarpa, left on Pico Norte, right on Pacheco, left on Pescador, left on Solano, finish at Vista Hills Church parking lot. Approximately 150 persons and 1 vehicle will take part and 20 spectators are anticipated. This request includes permission to use amplification (boom-box). PERMIT NO. 02-056

\*Motion made, seconded and unanimously carried to approve the request of Civitan International (El Paso Downtown Club) to hold a Civitan walk/relay on May 25, 2002 from 12:00 p.m. to 6:00 p.m. Route: Start from Vinton, Texas on Doniphan to Paisano and ending at La Hacienda Restaurant. Approximately 10 persons and 2 vehicles will take part. PERMIT NO. 02-058

\*Motion made, seconded and unanimously carried to approve the request of Catholic Community of Corpus Christi to block off Le Barron between North Loop and boundary line of Corpus Christi Church before getting to Sorbonne for a bazaar on May 31, 2002 from 3:00 p.m. to 1:00 a.m.; June 1, 2002 from 2:00 p.m. to 1:00 a.m. and June 2, 2002 from 2:00 p.m. to 11:00 p.m. Approximately 1,500 persons will participate and 1,500 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". This request includes permission to use amplification (amplifier). PERMIT NO. 02-059

Motion made by Representative Power, seconded by Representative Escobar and unanimously carried to postpone two (2) weeks An Ordinance amending Title 12 (Vehicles and Traffic) to add Chapter 12.26 (Cruising), to define cruising and to prohibit cruising on certain streets of the city during designated hours; the penalty being as provided in section 12.84.010 of the El Paso Municipal Code.

Mr. Anthony Duncan, Hudson's Grill owner, stated he was not representing the Restaurant Association, and complained that on Sunday evenings on Lee Trevino cruisers create absolute gridlock. He stated he has had to schedule an employee to stand in front of his restaurant and inform the cruisers that they cannot park on the side of nor in front of his restaurant unless they are coming inside. He stated he loses about \$500 to \$1,000 in sales every Sunday night and he asked that cruisers find a workable solution.

Mr. Allen Simpson, President of Silverstreak Restaurants and Commissioner on City Plan Commission, stated that the cruisers prevent customers from entering his restaurant(s) and stated that he would work with the cruisers in order to come up with a workable solution.

Mr. Bart Grinnell, McDonald's Restaurant at 1895 Lee Trevino, stated that on Sunday evenings his restaurant loses business from 9:00 p.m. until closing. He stated that the Police Department has been very good in moving the cruisers along.

Representative Power stated that a joint Legislative meeting was held and it was noted the Police Department must utilize resources from other areas in the City to assist with the cruising/cruisers on Sunday evenings. He stated he believes Council should create a non-cruising Ordinance, which would allow the Police Department the ability to control cruising, and that the existing parade permit should be worded to accommodate for cruising. He offered solutions to the problem, suggesting a "Special Permit" process.

Representative Sariñana commented that at the Legislative Review meeting it was decided that the Ordinance would be postponed for two weeks in order to give the City Attorney's office time to revise the Ordinance to accommodate all parties.

Representative Power commented on the creation of "cruising zones" and noted that the cruising zones may change in the future. He explained that the special parade permit would allow for variation and flexibility.

Representative Sumrall thanked the car clubs for their cooperative spirit and agreed that the City should create a designated "cruising area". She thought that Commissioner Charles Scruggs would be present today to discuss the feasibility of utilizing the Coliseum parking lot and/or Ascarate Park for cruising.

Representative Medina commended the car club organizations for their cooperation; however, he would not support postponing the item two weeks.

Representative Cobos stated that the Ordinance would work due to the language regarding automobiles passing a designated area three times or more within 2 hours, the driver would be cited. He thought that by addressing a minimum speed limit, if the driver fails to maintain a speed of 15 miles per hour, the driver should be cited. He agreed with the special parade permit; however, he suggested designating the downtown area as a cruising zone in an effort to revitalize the downtown area.

.....  
ORDINANCE 15097

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. SU-01020, TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT WITH REDUCED LOT WIDTHS AND SETBACKS ON TRACTS 2, 3 AND 5, SECTION 16, BLOCK 79, TSP 3, T&PRR SURVEYS, EL PASO, EL PASO COUNTY, TEXAS (SOUTHEAST CORNER OF JOE BATTLE BLVD. AND VISTA DEL SOL DRIVE), PURSUANT TO SECTION 20.12.040 (ZONING) OF THE EL PASO MUNICIPAL CODE.**

Ms. Lisa Turner, citizen, questioned why the reduction in the lot widths and setbacks.

Ms. Pat Aauto, Director of Planning, explained that the Ordinance would be for a planned residential development. She stated that the Special Permit would authorize a rear setback of 20 feet. She noted that the DCC (Development Coordinating Committee) and CPC (City Plan Commission) recommended unanimously to approve the special permit, with no opposition received by the Planning Department.

Motion duly made by Representative Escobar, seconded by Representative Power that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....  
ORDINANCE 15098

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACT 3-B, U. S. GOVERNMENT NO. 3, EL PASO, EL PASO COUNTY, TEXAS (6951 DELTA DRIVE) FROM R-4 (RESIDENTIAL) TO C-1 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Motion duly made by Representative Medina, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....  
ORDINANCE 15099

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 2, BLOCK 3, HUECO VIEW ACRES (3423 LEE BOULEVARD) FROM M-1 (MANUFACTURING) TO C-4 (COMMERCIAL). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Power asked to discuss this and Ordinance 15100 together.

Representative Sumrall questioned how many acres would the church be placed on.

Ms. Pat Aauto, Director of Planning, explained that the property was currently 1.4 acres in size; however, the special permit would authorize the church on a site less than three acres. She added that the rezoning was necessary due to M-1 zoning not authorizing churches. She noted that the church had been operating since the early 1980's and was now trying to legalize the use of the church. She stated that the DCC (Development Coordinating Committee) and CPC (City Plan Commission) recommended in favor of the request and the department had received no opposition.





ORDINANCE 15101

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 1, PALO ALTO ADDITION, EL PASO, EL PASO COUNTY, TEXAS (11990 MONTANA AVENUE) FROM R-3 (RESIDENTIAL) TO C-4 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Power questioned the distance of the tire and mechanic shop from the residential area.

Ms. Patricia Adatao, Director of Planning, explained that a mobile home park was located 300 to 400 feet from the proposed location and that the DCC (Development Coordinating Committee) and CPC (City Plan Commission) recommended in favor of the request; however, the applicant would be required to submit a Detailed Site Development plan so that the Planning Department could address the parking and access off of Montana Avenue issue. She noted that the applicant was requesting C-4 to continue the use of the property and to comply with City laws.

Representative Power questioned whether a C-3 zoning would suffice due to the C-4 zoning allowance of adult entertainment.

Ms. Adatao responded no, due to the heavy truck storage and tire shop requiring C-4 zoning. She added that to the north, west and south of the property the zoning was R-3; therefore the applicant would not meet the 1,000 foot distance required to operate an adult entertainment facility.

Motion duly made by Representative Power, seconded by Representative Sariñana that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....  
Motion made by Representative Cook, seconded by Representative Rodriguez and carried to postpone one (1) week an Ordinance amending Ordinance No. 011761 which changed the zoning of Lots 1-10, Block 3, MESA DEL CASTILLO UNIT TWO, El Paso, El Paso County, Texas, and which imposed certain conditions, by deleting Condition No. 2 thereof for a Portion of Lot 1, Block 3, MESA DEL CASTILLO UNIT TWO (120 Bartlett Drive). The penalty being as provided in Section 20.68.010 of the Municipal Code. ZONE: C-4/sc/sp/c (Commercial/special contract/special permit/conditions) Applicant: Kenneth J. Croucher / Representative: Ron Brown Architect, 901 Wyoming, El Paso, TX. 79902 SC-02002

Representative Sumrall voted Nay.

Ms. Patricia Adatao, Director of Planning, explained the property was rezoned in 1994 with three conditions imposed. She explained the second condition as permitting no automotive uses on the site. She noted that the area was designated for residential; however, the DCC (Development Coordinating Committee) recommended denial as the area that has been developed as a commercial/office park environment and the auto repair shop would not be compatible with the existing uses. She noted that the CPC (City Plan Commission) recommended approving the release of the condition, by a vote of 7-0, due to the auto repair shop conforming to other commercial uses in the nearby area. She stated that the Planning Department had not received letters or phone calls, either in favor or opposition to, the proposed zoning change.



Motion made by Representative Power, seconded by Representative Escobar and carried to postpone one (1) week an Ordinance amending Title 15 (Public Services), Chapter 13 (Water Conservation Ordinance) of the City of El Paso Municipal Code to require commercial car washes issued building permits for construction after June 1, 2002, to use no more than fifty (50) gallons of water per vehicle washed; to provide that for new residential sites after June 1, 2002, no turf grass shall be used for more than fifty percent (50%) of the total site; to provide that for new commercial sites after June 1, 2002, no turf grass shall be used for more than thirty-three and one-third percent (33 1/3%) of the total site; to provide that the water conservation office of the El Paso Water Utilities shall maintain a list of the only approved turf grasses for use within the City; and amending Section 15.13.120 to delete the requirement that the Mayor obtain the recommendation of the Public Service Board prior to declaring a water emergency; and make other water conservation changes; and providing an effective date.

Ms. Rita Rodriguez, City Attorney, advised Council that any amendment to Section 15.13.120 should be deleted and that City Attorney's office would not make any amendment to that Section regarding the Mayor's emergency powers.

Representative Cook noted that this Ordinance would allow Council Members some control over the PSB (Public Service Board) and he had received the suggested changes from the City Attorney's office regarding the water emergencies and added his own suggestion(s). He suggested "and such measures must be enacted by Resolution, passed by the majority of the City Council, in order for the declaration of the emergency to continue beyond the initial five day period" be added. Representative Power seconded.

Representative Sumrall commented that in the event of a national emergency Mr. Archuleta would have the ability to make a decision and not have to convene any meeting(s).

Representative Cook reiterated that Section 15.13.120 would grant the Mayor the authority to tell Mr. Archuleta that the City was in a national emergency situation and the Special Provisions for a five-day period would be declared. He explained that his suggestion states that after the five-day period a formal recommendation from the PSB and Resolution from a majority of Council would be necessary to continue further.

Mr. Charlie McNabb, Chief Administrative Officer, explained that protecting the water was not the issue because it was an administrative power to protect the water system. He stated that with this language, a second step would be taken, the step of restricting the public's right to fill swimming pools, water lawns, etc. He added that in the event the intake to the water has been shut off, the system would not be immediately depleted. He reiterated that this Ordinance would restrict the right of the public to use their water during emergencies. He explained that in the event of an emergency, Mr. Archuleta does not have to speak with the Mayor and he could immediately follow appropriate procedures. He added that it would be necessary to have the Council's approval to restrict the rights of the public to use the water, which was the intent of this Ordinance.

Mr. Robert Andron, General Counsel for the PSB, remarked that the PSB was more interested in the water conservation measures.

Mr. Bobby Bowling, Tropicana Homes builder also representing the Texas Association of Builders, requested that the language be deleted all together. He stated he was present at the BZAC meeting and he had legal concerns with the language allowing a municipal entity in the State of Texas to declare a unilateral moratorium to be placed on all building and development permits. He requested a Motion that would delete the language regarding "and amending Section 15.13.120 to delete the requirement that the Mayor obtain the recommendation of the Public Service Board prior to declaring a water emergency". He stated that the vote at the BZAC meeting was 17-2 to delete the sentence.

Ms. Teresa Caballero, citizen, expressed her concerns regarding water emergency procedures, the building moratorium in the Northeast on PSB lands, the power of the City Council over the PSB and water conservation measures and limitations on types of grass for the residents.

Representative Sumrall suggested postponing the item for one week.  
Mr. Leopoldo Sierra, citizen, expressed his concerns and opposition to the Ordinance.

Ms. Pat Adata, Director of Planning, explained that a special meeting of the Building and Zoning Advisory Committee had convened yesterday for the purpose of considering the water conservation ordinance. She noted that the BZAC recommended to endorse, by a vote of 17-2, the two provisions which dealt with car washes and turf grass restrictions. She added that the BZAC voted 17-2 to recommend the deletion of Section 15.13.120 from the Ordinance, as the language was too broad and vague and that the existing language provided what was needed to ensure water safety in the community.

Mr. Stan Gardner, Gardner Turfgrass Inc. and Vice-President of Turf Producers Inc., noted that he had sat on a subcommittee in February of 2001 and that the committee had attempted to resolve the landscaping issue(s). He noted that the suggestions made by the committee were not acted upon. He stated that the Ordinance raises many questions regarding the limitations of landscape and turf grass types.

Mr. Ed Archuleta, General Manager for the Public Service Board, explained that he had briefed the BZAC at yesterday's meeting and explained that the recommendations made by Mr. Gardner would be considered by the BZAC. He stated that the PSB has been working with the Parks and Recreation Department in regard to water technologies. He stated that any turf requiring more than 40 inches of supplemental water per year, such as hybrid, fescues and/or Bermudas and buffalo would be allowed.

Ms. Daphne Richards, County Extension Agent for horticulture of the Texas A&M Extension Center, recommended common Bermuda and Buffalo grasses as acceptable turf grasses.

Representative Power stated that a restriction would be placed on the size of the landscape and a possible restriction as to what type of grass would be allowed. He said he would need more time to research the Ordinance.

Representative Sariñana explained that he was not opposed to postponing the item; however, he was in favor of Representative Cook's suggestion to approve Section 15.13.120. He would not be opposed to postponing the other two Sections noted in the Ordinance.

Ms. Rita Rodriguez, City Attorney, advised that Council could not postpone sections of Ordinance(s). Representative Cook and Representative Sumrall made other suggestions.

Ms. Carole Hunter, City Clerk, stated that the Motion would be to postpone one week.  
Representatives Sumrall, Cook and Cobos voted Nay.  
Representatives Rodriguez, Medina, Power, Escobar and Sariñana voted Aye.

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ORDINANCE 15103

The City Clerk read an Ordinance entitled: **AN ORDINANCE PROVIDING FOR THE ISSUANCE OF CITY OF EL PASO, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2002, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$55,090,000; LEVYING A TAX IN PAYMENT THEREOF; PRESCRIBING THE FORM OF SAID BONDS; APPROVING A PURCHASE CONTRACT, APPROVING THE OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATING THERETO**

Mr. Norman Gordon, Co-Bond Counsel for the City, requested the amount listed in the Ordinance be amended from \$58,570,000 to \$55,090,000.

Representative Rodriguez asked for an explanation regarding the reduction from \$58,570,000 to \$55,090,000, for a savings of paying out less money out of the General Fund.

Mr. Bill Chapman, Chief Financial Officer, explained that the savings would be much higher than anticipated, approximately \$3.2 million; however, the principal would be paid off at the time of closing. He explained that the monies were net present value savings and would go into the general fund, less dollars to be paid out with service funds.

Mr. Steven Adams, First Southwest Company, City of El Paso Financial Consultant, introduced other individuals who had worked on the Ordinance. He stated that the bonds were priced yesterday with the underwriting syndicate and in order to get a lower interest rate and more savings, the syndicate paid more money than the \$55 million. He referred Council Members to documents he had provided for further explanation. He stated that the underwriting firms had local offices and were very efficient in their duties.

Mr. Gordon stated that the revised Ordinance had the interest rates listed.

Ms. Teresa Caballero, citizen, questioned the language "levying a tax and payment thereof".

Mr. Gordon explained that the City was refunding General Obligation bonds and Certificates of Obligation which were paid out of "General Tax Revenues", which means because the interest rates are lower the amount of taxes needed to levy in the future would be less.

Representative Cobos reiterated that the City was refinancing loans, paying off old ones, borrowing \$55 million to pay off old debt at a better interest rate.

Mr. Chapman explained that future principal interest payments on refunded bonds would be less than the existing issues.

Mr. Charlie McNabb, Chief Administrative Officer, clarified that bonds are paid off with tax monies and, when General Obligation bonds are issued, a portion of the taxpayer's tax bill goes toward paying the debt service to the individuals, by the bonds.

Motion duly made by Representative Sumrall, seconded by Representative Cook that the Ordinance be adopted, as amended. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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ORDINANCE 15104

The City Clerk read an Ordinance entitled: **AN ORDINANCE PERMITTING JESUS ONTIVEROS TO USE A PORTION OF EASTWOOD ALBUM PARK FROM 2:00 PM UNTIL 6:00 PM ON MAY 25, 2002**

Mr. Ray Cox, Assistant Director, Parks and Recreation Department, advised that the time would change from 2:00 pm until 6:00 pm rather than the original 2:00 pm until 4:00 p.m. as noted on the agenda.

Representative Sumrall asked whether there would be change in the \$60.00 fee.

Mr. Cox responded that there would be no change in the fee amount; however, the time was noted incorrectly. He noted that Mr. Ontiveros would utilize a small portion of the park, an area of a couple of hundred feet.

Motion duly made by Representative Power, seconded by Representative Medina that the Ordinance be adopted, as revised. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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\*Motion made, seconded and unanimously carried to delete the public hearing to determine if the Council Resolution of March 12, 2002, for the property located at 10161 Singapore Avenue in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine the penalties if the Council Order has not been complied with. The owner of record as of January 8, 2002, Jorge Sanchez, 1801 Wyoming Avenue #201, El Paso, Texas 79902, and Jorge Sanchez, 10161 Singapore Avenue, El Paso, Texas 79925, has been notified of the violations at this property.  
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#### RESOLUTION

WHEREAS, the Building Official and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 8756 Coloma Circle, in El Paso, Texas, which property is more particularly described as follows:

Lot: 9, Cates Subdivision

is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; does not meet the minimum standards for continued use and occupancy contained in Titles 17 and 18 of the Municipal Code which are adopted and incorporated by reference into Section 18.52; and

WHEREAS, Rosemary L. Graf, 2309 Wheeling Avenue, El Paso, Texas 79930-1513, record Owner, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on May 14<sup>th</sup>, 2002; and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:

- a. That the structure located on said property is condemned as substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
- b. That the structure is not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and

- c. The structure's certificate of occupancy is hereby revoked; and
  - d. That the structure can be repaired.
1. That the City Council hereby orders Owner to comply with the following requirements:
    - a. That the Building be secured within (30) days; and
    - b. That the premises be cleaned of all weeds, trash and debris within (30) days; and
    - c. That a public hearing be scheduled for July 9<sup>th</sup>, 2002, in the City Council Chambers, to determine, if the Council order has been complied with and, if not, to determine penalties; and
    - d. That the Owner of said Building is hereby ordered to comply with all requirements of the Resolution; and
    - e. The owner is advised that in order to obtain a new certificate of occupancy, the entire building and its service systems must be brought into compliance with the current codes.
    - f. That upon failure of the Owner to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris; and
  3. That upon failure of the Owner to comply with this Order, the City of El Paso through its Deputy Director of Building Services shall secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owners of said property; and
  4. That said Owner shall become personally liable for all costs incurred by City in connection with securing and maintaining the Building secure and cleaning the premises of all weeds, trash and debris; and
  5. That the costs incurred by the City in connection with the cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
  6. That upon failure of the Owner to comply with this Order, one or all of the following actions will be taken:
    - a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owner of said property, the cost of which shall be assessed as a lien against the property; and
    - b. That upon failure of the Owner to comply with this order the City Council may assess a civil penalty against the property Owner in an amount not to exceed \$1,000.00 a day for each violation or, if the Owner show that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
    - c. That upon failure of the Owner to comply with this order, the Owner may be confined in jail as permitted by state law; and
  7. That upon failure of the Owner, any mortgages or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and

8. The Owner, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owner and all other persons having interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Mr. Thomas Maguire, Building Services Department, presented the case to Council Members and gave the department's recommendation(s).

Representative Escobar stated his office had sent a letter to the property owner on May 13, 2002, asking whether she required any assistance in the matter; however, he had not yet received a response.

Motion made by Representative Escobar, seconded by Representative Sariñana and unanimously carried to accept the department's recommendations and adopt the above resolution.

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 \*Motion made, seconded and unanimously carried to delete the Public hearing to determine if the Council Order of April 2, 2002, for the property located at 2920 Frutas Avenue, in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine penalties if the Council Order has not been complied with. The owner(s) of this property, Isabel R. Irrobali and Eddie Irrobali, C/O Martha Gutierrez, P. O. Box 640112, El Paso, Texas, 79904, record Owners, have been notified of the violations at this property. There are \$9,024.29 in back taxes owed as of March 5, 2002.

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 \*Motion made, seconded and unanimously carried to delete the Public hearing to determine if the property located at 2601 Fort Blvd., in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner(s) of this property, Bryan Haddad, 1444 Montana Avenue, Suite 200, El Paso, Texas 79902-5659, has been notified of the violations at this property.

## RESOLUTION

WHEREAS, the Building Official and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 8312 Mt. Everest Drive, in El Paso, Texas, which property is more particularly described as follows:

Lot: 18, Block 12, Mountain View

Is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; does not meet the minimum standards for continued use and occupancy contained in Titles 17 and 18 of the Municipal Code which are adopted and incorporated by reference into Section 18.52; and



WHEREAS, The Estate of Facundo Rivera, C/O Norma Olvera, 1096 Elkhart, Apt. 204, Aurora, Colorado 80012, record Owner, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on May 21<sup>st</sup>, 2002; and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:
  - a. That the structure located on said property is condemned as substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
  - b. That the structure is not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
  - c. The structure's certificate of occupancy is hereby revoked; and
  - d. That the structure can be repaired.
1. That the City Council hereby orders Owners to comply with the following requirements:
  - a. That the Building be secured within (30) days; and
  - b. That the premises be cleaned of all weeds, trash and debris within (30) days; and
  - c. That a public hearing be scheduled for July 16, 2002, in the City Council Chambers, to determine, if the Council order has been complied with and, if not, to determine penalties; and
  - d. That the Owners of said Building are hereby ordered to comply with all requirements of the Resolution; and
  - e. The owners are advised that in order to obtain a new certificate of occupancy, the entire building and its service systems must be brought into compliance with the current codes.
  - f. That upon failure of the Owners to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris; and
3. That upon failure of the Owners to comply with this Order, the City of El Paso through its Deputy Director of Building Services shall secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owners of said property; and
4. That said Owners shall become personally liable for all costs incurred by City in connection with securing and maintaining the Building secure and cleaning the premises of all weeds, trash and debris; and
5. That the costs incurred by the City in connection with the cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
6. That upon failure of the Owners to comply with this Order, one or all of the following actions will be taken:

- a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owners of said property, the cost of which shall be assessed as a lien against the property; and
  - b. That upon failure of the Owners to comply with this order the City Council may assess a civil penalty against the property Owners in an amount not to exceed \$1,000.00 a day for each violation or, if the Owners show that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
  - c. That upon failure of the Owners to comply with this order, the Owners may be confined in jail as permitted by state law; and
7. That upon failure of the Owners, any mortgages or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
  8. The Owners, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
  9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
  10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owners and all other persons having interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Mr. Thomas Maguire, Building Services Department, presented the case to Council Members and gave the department's recommendation(s).

Representative Sumrall suggested the City secure the property rather than leaving the building open.

Mr. Maguire explained that a representative of the owner had contacted him regarding the possibility of having the premises secured by a local contractor; however, the premises have not been secured as of yet.

Ms. Rita Rodriguez, City Attorney, advised that the City would need to comply with the laws, and laws require going through the condemnation process. She explained that certain emergency situations arise; however, this situation may not be applicable.

Representative Rodriguez explained that the owner was deceased and the Health Department had visited the site.

Motion made by Representative Rodriguez, seconded by Representative Sumrall and unanimously carried to accept the department's recommendations and adopt the above Resolution.

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\*Motion made, seconded and unanimously carried to postpone one (1) week the discussion and action on supporting the BHI and Children's Hospital by the Bolaño Brothers Foundation. (Erasmio Andrade)

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Motion made by Representative Cobos, seconded by Representative Escobar and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance authorizing the Mayor to sign a Special Warranty Deed conveying to the State of Texas a parcel of land consisting of approximately 3515.6 square meters (37,842 square feet), out of the Replat of Lots 12 to 22, Paisano Addition, a Subdivision out of Tract 2a, Block 19, Ysleta Grant, City of El Paso, El Paso County, Texas.
- B. An Ordinance amending Ordinance 8064 (The Classification and Compensation Plan) to create the class of Transit Planning and Program Manager.

**PUBLIC HEARING WILL BE HELD ON JUNE 4, 2002 FOR ITEMS A - B**

- C. An Ordinance changing the zoning of Portions of Tracts 17C4-17C7, 17C27, 17C28, 17C33, 17C37, 17C48, 17C49, 17C87, 17C89-17C91, 17C99-17C102, 17C112-17C114, 17C131, 17C134, 17C139-17C144, 17C146, 17C147, 17C177, 17C178 and a portion of a 60-foot roadway, all in Section 8, Block 79, Township 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, El Paso, El Paso County, Texas (North of Vista Del Sol Drive and West of Joe Battle Blvd.) from R-3 (Residential ) to R-3A (Residential). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Tropicana Homes, Inc. / Representative: CEA Engineering Group, 2718 Wyoming, El Paso, TX. 79903 ZC-01007
- D. An Ordinance granting Special Permit No. SU-01007, to allow for a planned residential development with reduced lot sizes and setbacks on portions of tracts 17C4-17C7, 17C27, 17C28, 17C33, 17C37, 17C48, 17C49, 17C87, 17C89 - 17C91, 17C99-17C102, 17C112-17C114, 17C131, 17C134, 17C139-17C144, 17C146, 17C147, 17C177, 17C178 and a portion of a 60-foot roadway, all in Section 8, Block 79, Township 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, El Paso, El Paso County, Texas (North of Vista Del Sol Drive and West of Joe Battle Blvd.) pursuant to Section 20.12.040 (Zoning) of the El Paso Municipal Code. ZONE: R-3A (Residential) Applicant: Tropicana Homes, Inc. / Representative: CEA Engineering Group, 2718 Wyoming, El Paso, TX. 79903

**PUBLIC HEARING TO BE HELD JUNE 11, 2002 FOR ITEMS C - D**

Public Hearings will be held as part of the regular City Council meeting, which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

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**ADDITION TO THE AGENDA**

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

**RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Appraisal Services by and between the CITY OF EL PASO and GONZALO LAJE & ASSOCIATES, INC. for that certain tract of land described as a part of Tract IE, Collingsworth Survey No. 14, El Paso, El Paso County, Texas, containing approximately 2,320 square feet of land.

Ms. Sylvia Borunda-Firth, Assistant City Attorney, stated that the property owner had paid his taxes.

Motion made by Representative Sumrall, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

**RESOLUTION**

**WHEREAS**, the City Council has authorized the City Attorney or her designee to negotiate with the owners of the properties municipally known and numbered as 5115, 5159 and 5169 El Paso Drive, El Paso County, Texas and,

**WHEREAS**, the City Council finds that it is in the interest of the citizens and serves a public purpose to purchase the property.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Agreement for Appraisal services by and between the CITY OF EL PASO and RALPH SELLERS & ASSOCIATES for an appraisal to establish value for the properties municipally known and numbered as 5115, 5159 and 5169 El Paso Drive, El Paso, El Paso County, Texas.

Ms. Teresa Caballero, citizen, stated that the addresses were located in the TIF District and questioned why the City was appraising these addresses.

Mr. Charlie McNabb, Chief Administrative Officer, replied that the City was purchasing the buildings and the City has a contract of sale subject to an appraisal and inspection(s). He explained that the properties were being purchased in an effort to consolidate the City-County Health District facilities. He noted the purchase of the building was publicly discussed by the City Council. He stated that the monies would be from a portion of the \$32 million Certificates of Obligation approved by the public last fall.

Mr. Charlie McNabb, Chief Administrative Officer, explained that this was a purchase to relocate the City County Health Department.

Representative Sariñana explained the City was renting the Health District facility located on Airway and it was decided not to renew the lease and that the City would purchase properties specifically for the Health District.

Mr. McNabb remarked that the purchase price of the buildings were public record, the remodeling costs have not yet been ascertained, as well as the cost to move into the new properties. He further explained that the remodeling costs have not been established due to the necessity of hiring architects and engineers. He stated in addition, the City would send bids out for the remodeling and the moving vans to move the equipment.

Ms. Vivian Rojas, citizen, noted that these properties were in close proximity to her grandmother's home and questioned whether the agreement for the appraisal was the beginning of condemning properties for the TIF District.

Mr. McNabb clarified that the appraisal agreement had nothing to do with condemnation but only to consolidate the Health District facilities to one location.

Mr. Leopoldo Sierra, citizen, stated he does not live in the area discussed.  
Representative Medina said he would discuss TIF issues in his office with Mr. Sierra.

Ms. Rita Rodriguez, City Attorney, reiterated that the properties were purchased by the City and in order to fulfill the City's obligation an appraisal must be completed on the properties.

Mr. Gene Pando, citizen, asked that the City deal with the properties located in the TIF Districts in good faith.

Motion made by Representative Cook, seconded by Representative Rodriguez and unanimously carried to approve the above Resolution.

Representatives Sumrall, Power and Escobar were not present for the vote.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City of El Paso and Ciudad de Chihuahua, Chihuahua, commit to the bilateral promotion of their respective cities by the signing of a Sister City Agreement.

NOTE: Resolution was revised to read " Ciudad de Chihuahua, Chihuahua" instead of "Ciudad Juarez, Chihuahua".

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Contract between the CITY OF EL PASO for the El Paso Public Library and CHRIS SHERMAN to present a workshop entitled "The Invisible Web" on June 19, 2002 in Alpine, Texas and June 21, 2002 in El Paso, Texas. Contractor shall be paid \$2,000.00 for each workshop (2 workshops), airfare (\$300.00), car rental (\$300.00), lodging and miscellaneous (\$400.00). Total amount of the contract shall not exceed \$5,000.00.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Contract between the CITY OF EL PASO and the following individuals, for the El Paso Public Library.

1. DANIELLE R. BRISSETTE
2. VERONICA FRANCO
3. LUIS PEGUT
4. DANIEL A. SALAS

.....  
Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a contract between the CITY OF EL PASO and the following individuals as a Court Interpreters for the Municipal Court at an hourly rate of \$40.00 and partial hours after the first hour prorated at \$10.00 per fifteen minute periods. The Contract period shall be from May 22, 2002 through August 31, 2003.

1. RAFAEL CARRILLO
2. PATRICIA HERNANDEZ
3. ROSA LAURA NIEVES
4. GEORGE RODRIGUEZ
5. HERMINIA VALDEZ

Representative Sumrall questioned what the average rate for a licensed court interpreter was and questioned the \$40 fee.

Ms. Richarda Momsen, Municipal Court Clerk, explained that the contracts were in response to legislative change effective January 1, 2002, which required the court provide licensed court interpreters. She stated that due to the hours and locations of the courts, the additional individuals were required. She noted that the requirement of being "licensed" commanded a higher salary. She added that the \$40 was on the lower end of the spectrum.

Representative Sumrall suggested that the higher learning institutions throughout the City offer licensed court interpreters course(s).

Motion made by Representative Sumrall, seconded by Representative Medina and unanimously carried to approve the above Resolution.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

#### RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the CITY OF EL PASO and LINDA G. DEBEER as a Grants Planner, for the Mass Transit Department at a biweekly rate of \$1,274.41, for 40 hours per week. The term of the contract shall be for the period of May 27, 2002 through May 26, 2003 pending Civil Service Commission approval.

Representative Sariñana noted that the Resolution was approved during the Mass Transit meeting.

Ms. Rita Rodriguez, City Attorney, advised that the contract was between the City and Ms. DeBeer and explained the funds being utilized were from the Mass Transit Department, the resolution was posted on both the Mass Transit and City Council agendas.

Ms. Teresa Caballero, citizen, questioned whether the personnel contracts were publicly posted and how were the positions awarded.

Ms. Terry A. Bond, Director of Personnel, explained that the positions have been filled in varying ways, some are posted, those positions which would be long term, others have been filled by very qualified individuals. She noted that the contracts must come before the Civil Service Commission for approval.

Mr. Terry Lee Scott, Director of Sun Metro, replied that the position was posted competitively and then the person was chosen and mentioned that the individual would oversee a \$1.5 million dollar grant program. Representative Cobos suggested the City review the policies regarding the issuance of personnel contracts.

Mr. Charlie McNabb, Chief Administrative Officer, explained that most positions were filled through Civil Service; however, Personnel Service Contracts require both the Civil Service Commission and City Council approval.

Motion made by Representative Sariñana, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

Representative Escobar was not present for the vote.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

#### RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **RACHEL E. BERTONI**, to assist the Personnel Department from June 3, 2002 through December 2, 2002 with possible 6-month extension. The total amount of the contract shall not exceed \$25,000.

Ms. Terry Bond, Director of Personnel, explained that Ms. Bertoni was employed by the Personnel Department, until a couple of days ago, the Personnel Department rehired her in order to complete unfinished duties. She noted that the position was not filled competitively.

Mr. Charlie McNabb, Chief Administrative Officer, explained that Ms. Bertoni had been a City employee for several years and due to her expertise regarding the Compensation and Classification study, her expertise was required to see the project to completion.

Ms. Teresa Caballero, citizen, questioned the ethics behind hiring former employees and believed that the positions should be posted.

Motion made by Representative Sariñana, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

Representative Escobar was not present for the vote.

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\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the CITY OF EL PASO and ADRIAN CALVILLO to assist the Police Department as a Victim Services Response Team Case Manager at an hourly rate of \$12.50 for 40 hours per week. The contract period is from May 22, 2002 through August 31, 2003.

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\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Contract between the CITY OF EL PASO and the following individuals, for the El Paso Public Library, to present programs throughout the Library System in conjunction with the Library's Summer Reading Program.

- 1. Georgina Askew
- 2. Elena Baker, Las Mariposas
- 3. Leon Blevins
- 4. Mary E. Bruton, Clown Internship Club
- 5. Diana Cervantes, El Paso Patriots
- 6. Tsuyako De Clerk, Japanese Women's Association
- 7. Patricia A. Crawford, Hometown Buffet "Bee"
- 8. Lavonya Friday
- 9. Carol Ginty
- 10. Alfred P. Gonzales, Kids & Cows
- 11. J. Brandy Gardes, Animal Rescue
- 12. Mari Herman, Compadres Cat Club
- 13. Dominic Lannutti
- 14. Victoria McClelland
- 15. Marvin J. Nicchio, Italian American Cultural Society of El Paso
- 16. Linda Obregon, Keep El Paso Beautiful
- 17. Carlos Perales
- 18. Patricia Roberts, Greyhound Adoption
- 19. Linda Roen
- 20. Anita Ruble, Society for Creative Anachronisms
- 21. Charu Saheba, Asian Indian Dancers
- 22. Gloria Viaverde, Chihuahuan Wildlife Rescue
- 23. Aurora Villegas, Folklorico Dancers

NOTE: Resolution was revised to delete "Linda G. DeBeer and Daniel A. Salas".



Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried to move to Executive Session the Appeal to City Council for reversal of City's May 14, 2002 Denial of Formal Administrative Protest of SAGEM MORPHO, Inc. dated May 3, 2002 to Vendor Selection Under RFP. No. 2002-018-Request for Proposal for Fingerprint and Photographic Identification Systems. (John Witherspoon)

Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES

- A. Discussion and Action on Personnel Item - Cruz Hernandez. (551.074)
- B. Attorney consultation regarding Chap. 554 of the Government Code (551.071)
- C. Appeal to City Council for reversal of City's May 14, 2002 Denial of Formal Administrative Protest of SAGEM MORPHO, Inc. dated May 3, 2002 to Vendor Selection Under RFP. No. 2002-018-Request for Proposal for Fingerprint and Photographic Identification Systems. (John Witherspoon)
- D. City of El Paso vs. Telles Group, Inc., Our File No. 02-P-01 (551.071)

Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows: Mayor Raymond C. Caballero was not present at this time.

Motion made by, seconded by and unanimously carried to delete the discussion and action on Personnel Item - Cruz Hernandez.

No action was taken regarding Attorney consultation regarding Chap. 554 of the Government Code.

Motion made by Representative Sumrall, seconded by Representative Power and carried to delete the Appeal to City Council for reversal of City's May 14, 2002 Denial of Formal Administrative Protest of SAGEM MORPHO, Inc. dated May 3, 2002 to Vendor Selection Under RFP. No. 2002-018-Request for Proposal for Fingerprint and Photographic Identification Systems. (John Witherspoon)

Representatives Rodriguez, Medina and Cobos voted Nay.

Representatives Sumrall, Cook, Power, Escobar and Sariñana voted Aye.

Motion made by Representative Medina, seconded by Representative Cobos and carried that the City Attorney be **AUTHORIZED TO FILE A SUIT** entitled **CITY OF EL PASO VS. TELLES GROUP, INC., Our File No. 02-P-01**, as recommended by the City Attorney.

Motion made by Representative Cobos, seconded by Representative Medina to reconsider the appeal to City Council for reversal of City's May 13, 2002 Denial of Formal Administrative Protest of SAGEM MORPHO, Inc. dated May 3, 2002 to Vendor Selection Under RFP. No. 2002-018-Request for Proposal for Fingerprint and Photographic Identification Systems. (John Witherspoon)

Representatives Sumrall, Power, Escobar, Sariñana voted Nay.

Representatives Rodriguez, Medina, Cook and Cobos voted Aye.

There was some confusion regarding the way Representative Sumrall voted and Representative Sumrall asked for a re-poll on the reconsideration of the item.

Ms. Carole Hunter, City Clerk, re-pollled with the followed results:

Representative Sumrall, Representative Power, Representative Escobar, Representative Sariñana voted Nay.

Representative Rodriguez, Representative Medina, Representative Cook and Representative Cobos voted Aye. Mayor Caballero was not present. There was no action because the tie vote could not be broken.

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Motion made by Representative Sariñana, seconded by Representative Sumrall and unanimously carried to adjourn this meeting at 12:33 p.m.  
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APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Diana Nuñez, Deputy City Clerk

  
\_\_\_\_\_  
Rita Rodriguez, City Attorney